

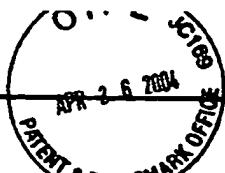
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Application No.	098946042	Prepared by	MRUSTIA	Tracking Number	06003959
Examiner-GAU	CALVERT - 3701	Date	10-10-04	Week Date	08-30-04
		No. of queries	1	IPW - E	

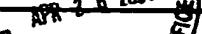
JACKET

a. Serial No.	f. Foreign Priority	k. Print Claim(s)	p. PTO-1449
b. Applicant(s)	g. Disclaimer	l. Print Fig.	q. PTOL-85b
c. Continuing Data	h. Microfiche Appendix	m. Searched Column	r. Abstract
d. PCT	i. Title	n. PTO-270/328	s. Sheets/Figs
e. Domestic Priority	j. Claims Allowed	o. PTO-892	t. Other

SPECIFICATION	MESSAGE
	PTO 1449 : Please either initial or line through the citations.
CLAIMS	Thank you, initials MR
RESPONSE	initials



Sheet 1 of 2.

FORM PTO-1449  INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional)	Application Number
	460.2125USU	09/894,042
	Applicant	
	Jackson, D.	
	Filing Date	Group Art Unit
	June 28, 2001	3761

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

- Entry and Order Granting Defendants' Motion for Summary Judgment of Non-Infringement Based on Markman Ruling. (Doc. 95).
- Memorandum Opinion
- Report of Evan Hutchison Pursuant to Fed. R. Civ. Proc. 26(a)(2) ✓
- Rebuttal Expert Report of Evan Hutchison
- Supplemental Expert Report of Evan Hutchison ✓
- First Expert Report of Mario Turchi ✓
- Supplemental Expert Report of Mario Turchi ✓

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

<p>FORM PTO-849 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)</p>	Docket Number (Optional)	
	460.2125USU	
	Applicant	
	Jackson, D.	
	Filing Date	Group Art Unit
June 28, 2001	3761	

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

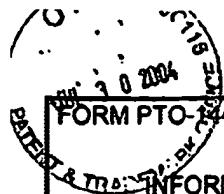
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	<p>Playtex Products, Inc. v. Proctor & Gamble Co. and Proctor & Gamble Distributing Co., Appeal from the US District Court for the Southern District of Ohio in Case No. 02-CV-00391, District Judge Thomas M. Rose, Non-Confidential Joint Appendix, June 9, 2004.</p>
	<p>Playtex Products, Inc. v. Proctor & Gamble Co. and Proctor & Gamble Distributing Co., Appeal from the US District Court for the Southern District of Ohio in Case No. 02-CV-00391, District Judge Thomas M. Rose, Non-Confidential Reply Brief of Appellant, May 28, 2004.</p>
	<p>Playtex Products, Inc. v. Proctor & Gamble Co. and Proctor & Gamble Distributing Co., Appeal from the US District Court for the Southern District of Ohio in Case No. 02-CV-00391 Judge Thomas M. Rose, Non-Confidential Brief for Defendants-Appellees the Proctor & Gamble Company and the Procter & Gamble Distributing Company, May 12, 2004.</p>
	<p>Playtex Products, Inc. v. Proctor & Gamble Co. and Proctor & Gamble Distributing Co., Appeal from the US District Court for the Southern District of Ohio in Case No. 02-CV-00391, District Judge Thomas M. Rose, Non-Confidential Brief of Appellant, April 2, 2004.</p>

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Sheet 2 of 2.

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) <u>460.2125USU</u>	Application Number <u>09/894,042</u>
	Applicant <u>Jackson, D.</u>	
	Filing Date <u>June 28, 2001</u>	Group Art Unit <u>3761</u>

U. S. PATENT DOCUMENTS

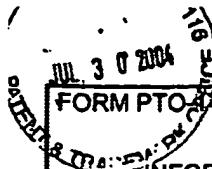
FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	Rebuttal Expert Report of Mario A. Turchi, December 27, 2002
	Rebuttal Expert Report of Mario A. Turchi, Defendant's Exhibit 40, April 2, 2003.
	Expert Report of G.A.M. Butterworth, November 22, 2002.
	Rebuttal Expert Report of G.A.M. Butterworth, January 19, 2003.
	Expert Report of James Moller, Ph.D., P.E., November 26, 2002.

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Sheet 1 of 2

FORM PTO-4449 <i>10/03/01</i> INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 460.2125USU	Application Number 09/894,042
	Applicant Jackson, D.	
	Filing Date June 28, 2001	Group Art Unit 3761

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	Entry and Order Granting Defendants' Motion for Summary Judgment of Non-Infringement Based on Markman Ruling. (Doc. 95). November 3, 2003.
	Memorandum Opinion, June 4, 2002.
	Report of Evan Hutchison Pursuant to Fed. R. Civ. Proc. 26(a)(2), October 30, 2002.
	Rebuttal Expert Report of Evan Hutchison, December 27, 2002.
	Supplemental Expert Report of Evan Hutchison, June 27, 2003.
	First Expert Report of Mario Turchi, October 30, 2002.
	Supplemental Expert Report of Mario Turchi, June 27, 2003.

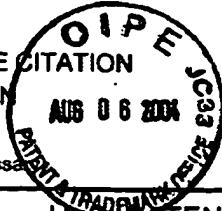
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FORM PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number (Optional) 460.2125USU	Application Number 09/894,042
Applicant Jackson, D.	
Filing Date June 28, 2001	Group Art Unit 3761

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

Playtex Products, Inc. v. Proctor & Gamble Distributing Co. et al., District Judge Thomas M. Rose, Supplemental Expert Report of G.A.M. Butterworth, Case No. C-1-02-391, August 20, 2003.
Playtex Products, Inc. v. Proctor & Gamble Distributing Co. et al., District Judge Thomas M. Rose, Supplemental Report of James C. Moller, Ph.D., P.E., Case No. C-1-02-391, August 15, 2003.

EXAMINER	DATE CONSIDERED
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